

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

HOWARD NOURIELI, *et al.*,

Plaintiffs,

v.

MARCUS LEMONIS, *et al.*,

Defendants.

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MARCUS LEMONIS, and MARCUS  
LEMONIS, LLC,

Counterclaim-Plaintiffs,

v.

HOWARD NOURIELI, and BOWERY  
KITCHEN SUPPLIES, INC.,

Counterclaim-Defendants.

Civil Action No. 20-cv-8233-JPO

**STIPULATION OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)**

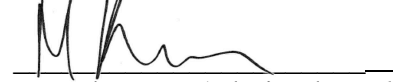
IT IS HEREBY STIPULATED AND AGREED by and between the parties and/or their respective counsel(s) that:

- (1) Plaintiffs Howard Nourieli and Bowery Kitchen Supplies, Inc. (“Plaintiffs”), on the one side, and Counterclaim-Plaintiffs Marcus Lemonis and Marcus Lemonis, Inc., on the other side, hereby stipulate and agree that the above-captioned action, and all causes of action asserted therein, shall be dismissed in their entirety with prejudice, with each party to bear its own fees and costs;
- (2) Plaintiffs withdraw from any further consideration their pending motion for reconsideration of the Court’s August 6, 2021 Order (Dkt. No. 59), thus rendering the dismissal of Defendant Machete Corp. with prejudice final; and

(3) Plaintiffs and CWI stipulate to dismissal with prejudice of this Action, with each party to bear its own fees and costs.

DATED: November 9, 2021


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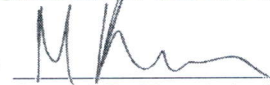
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